

REMARKS

Applicant has carefully reviewed and considered the Office Action mailed on April 22, 2003, and the references cited therewith.

Claims 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23-25, 27-33, and 36 are amended; as a result, claims 1-36 are now pending in this application.

§102 Rejection of the Claims

Claims 3, 5, 7, 9, 11, 13-15, 17-19, 21, 22, and 33-36 were rejected under 35 USC § 102(e) as being anticipated by Zimlich (U.S. Patent No. 6,130,106).

Claim 3 recites a device comprising, among other elements, at least one emitter having an implantation and the implantation is conforming a surface of the at least one emitter. As amended, claim 3 recites that the implantation is “conforming to an entire surface” of the at least one emitter.

Zimlich does not disclose an implantation “conforming to an entire surface” the emitter. Since Zimlich does not disclose all of the elements of the present invention as claimed in claim 3, claim 3 is not anticipated by Zimlich. Applicant respectfully requests that the rejection of claim 3 be reconsidered and withdrawn and that claim 3 and its dependent claim be allowed.

Independent claims 5, 7, 9, 11, 13, 15, 17, 19, 21, 33 and 36 are amended. As amended, these claims recite elements similar to the elements of claim 3. Thus, these claims are also not anticipated by Zimlich for reasons similar to the reasons presented above regarding claim 3. Applicant requests that the rejection of claims 5, 7, 9, 11, 13, 15, 17, 19, 21, 33, and 36 be reconsidered and withdrawn and that these claims and their dependent claims be allowed.

§103 Rejection of the Claims

Claims 4, 6, 8, 10, 12, 16, and 20 were rejected under 35 USC § 103(a) as being unpatentable over Zimlich.

Claims 4, 6, 8, 10, 12, 16, and 20 depend from the independent claims 3, 5, 7, 9, 11, 15, and 19, respectively. In view of the amendments to the independent claims, the dependent claims 4, 6, 8, 10, 12, 16, and 20 are patentable over Zimlich for the reasons presented above

regarding the independent claims. Applicant requests that the rejection of claims 4, 6, 8, 10, 12, 16, and 20 be reconsidered and withdrawn and that claims 4, 6, 8, 10, 12, 16, and 20 be allowed.

Claims 1, 2, and 23-26 were rejected under 35 USC § 103(a) as being unpatentable over Zimlich in view of Goodman et al. (U.S. Patent No. 5,311,055).

Claims 1 and 23-25 are amended. As amended, claims 1 and 23-25 recite elements similar to the elements of claim 3. Since claim 3 is patentable over Zimlich for the reasons presented above, claims 1 and 23-25 are also patentable over Zimlich and over Zimlich in view of Goodman et al. for similar reasons. Accordingly, Applicant requests that the rejection of claims 1 and 23-26 be reconsidered and withdrawn and that claims 1 and 23-25 and dependent claims 2 and 26 be allowed.

Claims 27-32 were rejected under 35 USC § 103(a) as being unpatentable over Zimlich in view of Doan et al. (U.S. Patent No. 5,372,973).

Claims 27-32 are amended. As amended, claims 27-32 recite elements similar to the elements of claim 3. Since claim 3 is patentable over Zimlich for the reasons presented above, claims 27-32 are also patentable over Zimlich and over Zimlich in view of Doan et al. for similar reasons. Accordingly, Applicant requests that the rejection of claims 27-32 be reconsidered and withdrawn and that claims 27-32 be allowed.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (612) 373-6969 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

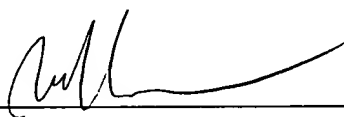
Respectfully submitted,

YONG-JUN HU

By his Representatives,

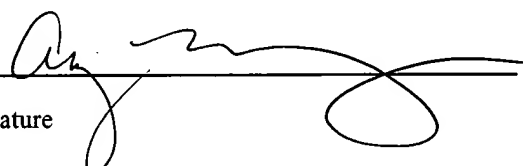
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